

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ROBERT S. REYNOLDS,

Plaintiff,

v.

No.: 3:09-cv-314
(VARLAN/SHIRLEY)

SHERIFF GARY PERKINS,

Defendant.

MEMORANDUM

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. The matter is before the Court on the defendant's motion to dismiss based upon plaintiff's failure to provide the Court and defendant with a correct mailing address. In support of the motion to dismiss, the defendant has submitted the affidavit of Lt. Joe Perkins, the chief jailer in charge of the Campbell County Jail, who testifies that plaintiff was transferred from the Campbell County Jail to the Anderson County Jail on August 11, 2009, and then, on information and belief, was transferred from the Anderson County Jail to state custody on August 12, 2009. [Doc. 6, Exhibit 1, Affidavit of Lieutenant Joe Perkins].

Plaintiff has not informed the Court of his transfer from the Campbell County Jail nor of his current mailing address. In the Court's initial order, plaintiff was ordered to inform the Court immediately of any address changes. Plaintiff was also advised that failure to provide a correct address within ten days following any change of address would result in the dismissal of this action.

Accordingly, the defendant's motion to dismiss [Doc. 6] will be **GRANTED** and this action will be **DISMISSED WITH PREJUDICE** for plaintiff's failure to prosecute and to comply with the orders of this Court. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991). The Court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Fed. R. App. P. 24.

AN APPROPRIATE ORDER WILL ENTER.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE